

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 06-39A
Z.C. Case No. 06-39A
Catholic University of America
(Further Processing of an Approved Campus Plan – Extension of Use
of Temporary Housing Units)
December 13, 2012**

Application No. 06-39A of the President and Trustees of The Catholic University of America (the "Applicant"), pursuant to 11 DCMR §§ 3104 and 3035, and in accordance with § 210 for further processing of an approved Campus Plan to permit the continued use of temporary housing units known as Curley Court for an additional two years through December 31, 2014.

HEARING DATE: December 13, 2012

DECISION DATE: December 13, 2012 (Bench Decision)

SUMMARY ORDER

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Zoning Commission for the District of Columbia ("Commission") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register*, by mail to Advisory Neighborhood Commissions ("ANC") 5A and 5C, and to owners of property within 200 feet of the site. The campus of Catholic University is located within the boundaries of ANCs 5A and 5C; Curley Court is located within the boundaries of ANC 5C.

As directed by 11 DCMR § 3035.4, the Commission required the Applicant to satisfy the burden of proving the elements of § 210 of the Zoning Regulations, which are necessary to allow, as a special exception, a university use in a Residence zone.

The D.C. Office of Planning, in a report dated December 13, 2012, which was submitted into the record, concluded that the application was in conformance with the provisions of § 210 and recommended approval of the application as submitted. ANC 5C submitted a resolution in support of the application dated November 13, 2012.

Based upon the record before it, the Commission concludes that the Applicant has met the burden of proof pursuant to 11 DCMR § 210 and that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Commission further concludes that granting the requested relief will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Map. The

Commission notes, and gives great weight to, the recommendation of the Office of Planning that the application satisfies the requirements of § 210. The Commission notes, and gives great weight to, the vote of ANC 5C in support of the application to maintain the temporary housing units for an additional two years; ANC 5C did not state any issues or concerns in connection with the application.

It is, therefore, **ORDERED** that the further processing application be **GRANTED** subject to the following conditions:

1. The Curley Court temporary housing units approved in BZA Case No. 16482 and extended by Z.C. Case Nos. 04-10 and 06-39 shall be permitted on the Main Campus of the University through December 31, 2014.

Pursuant to 11 DCMR § 3100.5, the Commission has determined to waive the requirement of 11 DCMR § 3125.3 that Findings of Fact and Conclusions of Law accompany the order of the Commission. The waiver will not prejudice the rights of any party and is appropriate in this case.

VOTE: 4-0-1 (Robert E. Miller, Marcie I. Cohen, Anthony J. Hood, and Michael G. Turnbull to adopt; Peter G. May not present, not voting).

BY ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

ATTESTED BY: _____



SARA A. BARDIN
DIRECTOR, OFFICE OF ZONING

FINAL DATE OF ORDER: April 2, 2013